

### **Remarks**

Claims 1-12 were in the application as last examined. Applicant respectfully requests further examination and consideration in light of the following remarks.

### **Rejections under 35 U.S.C. § 102**

Claims 1 and 9-11 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,215,446 to Sullivan et al. The rejections are traversed.

The claimed invention is not anticipated under §102 unless *each and every element* of the claimed invention is found in the prior art. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 231 USPQ 81, 90 (Fed. Cir. 1986). To anticipate, a single reference must teach *each and every limitation* of the claimed invention. *Eolas Technologies Inc. v. Microsoft Corp.*, 399 F.3d 1325, 1335; 73 U.S.P.Q.2D (BNA) 1782 (Fed. Cir. 2005). The *identical* invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The rejection fails to satisfy these standards.

Sullivan et al. '446 discloses a cell phone antenna that snaps into a housing 14. The antenna comprises a collapsible or retractable antenna 20 having a snap-in connector 16 (Col. 2, line 55 – col. 3, line 6). The housing 14 has an alignment keyway 26 and the connector 16 has a keyway 44 that is adapted to be received in the keyway 26 so that the connector 16 can be inserted into the housing 14 in only one way. The antenna 20 has a conductive tube 64 that extends into the housing 14 when the connector 16 is snapped into the housing 14.

With respect to claim 1, the Sullivan et al. '446 patent does not disclose *each of the mount and the whip assembly having a transmission line adapted to be connected to each other* by at least one connection (emphasis added). In other words, the mount has a transmission line and the whip assembly has a transmission line. Each transmission line is adapted to be connected to the other by at least one connection at the keyed junction. The term “each” in the phrase “to be connected to each other” modifies the term “transmission line”, in accord with the clear understanding that there are two

transmission lines, one in the mount and one in the whip assembly. Sullivan does not disclose two transmission lines to be connected at the keyed junction.

Further with respect to claim 9, Sullivan et al. '446 does not disclose *each of the lower section assembly and the upper section assembly having a transmission line adapted to be connected to each other* by at least one connection for transmitting signals between the lower section assembly and the upper section assembly (emphasis added). Again, the lower section assembly has a transmission line and the upper section assembly has a transmission line. Each transmission line is adapted to be connected to the other by at least one connection at the keyed junction. The term "each" in the phrase "to be connected to each other" modifies the term "transmission line", in accord with the clear understanding that there are two transmission lines, one in the lower section assembly and one in the upper section assembly. Sullivan does not disclose two transmission lines to be connected at the keyed junction.

In Sullivan et al. '446, the electrically conductive tube 64, which the Examiner reads as a transmission line, is one intact structure and mounted within the antenna 20, which the Examiner reads as a whip assembly. There is no other structure disclosed in Sullivan et al. '446 that can be read as *an additional transmission line* in the mount or lower section assembly which may be connected to the electrically conductive tube 64 *at the junction*. In the housing 14 of Sullivan et al. '446, there is a contact pad 58 on the circuit board 60, but such structure is neither a transmission line, nor in the junction when connected.

Because Sullivan et al. '446 does not disclose a separate transmission line in each of the whip and the mount, or in each of the lower and upper section assemblies, that may be connected to each other at the junction, it does not anticipate claims 1 and 9. Likewise, because claims 10 and 11 depend from claim 9, they are also not anticipated.

### **Conclusion**

It is respectfully submitted that claims 1-12 are patentable over Sullivan. The allowability of claims 3-8 and 12 is acknowledged with thanks, but given the forgoing remarks, all claims are believed allowable over the art of record. Consequently, a notice

of allowability is respectfully requested. Any questions about the foregoing can be directed to the undersigned and the Examiner is invited to resolve any remaining issues by telephone or by email.

Respectfully submitted,

PAUL E. MILLER

Dated: August 16, 2007

By: \_\_\_\_/Joel E Bair/\_\_\_\_\_

Joel E. Bair, Reg. No. 33,356  
McGARRY BAIR PC  
32 Market SW, Suite 500  
Grand Rapids, Michigan 49503  
616-742-3500  
Fax 616-742-1010  
E-mail [jeb@mcgarrybair.com](mailto:jeb@mcgarrybair.com)